Jennie Bretschneider, Assistant Chief Deputy and Counsel
Secretary of State
1500 11th Street, Sixth Floor
Sacramento, CA 95814

Dear Ms. Bretschneider,

Thank you for the opportunity to comment on the proposed modified regulations. I have commented previously and some of the points in the previous commentary still apply. My remarks here will therefore be brief.

The current modifications have evolved to be recommendations as opposed to requirements. This has the benefit of making them more flexible in the face of constantly improving technologies. Another improvement, though one made in an earlier version, is that the section on file formats, 22620.8, does not create the mistaken impression that TIFF is not an acceptable format, which was the case with the first iteration of the proposed modifications.

In correcting the confusion surrounding TIFF, namely, that PDF/A was recommended as a replacement to it, the revised modifications seems now to be saying that PDF/A is not required for PDF files. Rather, it says that anyone wishing to use PDF/A should use PDF/A-1 (as opposed to PDF/A-2). Whether picking the version of PDF/A is advisable or not, the standard seems to have been gutted as regards PDF files. Presumably, the point of PDF/A is to provide an archiving format for PDFs. These regulations, however, do not seem to require that users of PDF files choose PDF/A as an archival format. It appears that one could store documents in PDF format (not PDF/A) and still be in compliance with the regulation.

Finally, while it is not within the scope of this regulation, it should be noted that there are many document file formats that are neither PDF nor TIFF, namely, MS Word, Excel, etc. These seem to get a pass, even though they are the least suitable for record and archival purposes. Also, virtual digital documents are not addressed by these regulations, even though users rely on them as they do other digital documents. By a virtual digital document I mean data presented as a document that is generated through a database query. An example would be an invoice produced by a financial system, which, though it views and prints as a document, is really made up of data fields residing in the larger database file system.

Thank you,

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